

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of

**CERTAIN GARAGE DOOR
OPERATORS INCLUDING
COMPONENTS THEREOF**

Inv. No. 337-TA-459

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO ONE RESPONDENT ON
THE BASIS OF A CONSENT ORDER; ISSUANCE OF CONSENT ORDER**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 15) issued by the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to respondent Innovative Home Products, Inc. on the basis of a consent order.

FOR FURTHER INFORMATION CONTACT: Timothy P. Monaghan, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3152. Copies of all nonconfidential documents filed in connection with this

investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION:

The Commission instituted this investigation on July 19, 2001, based on a complaint filed by The Chamberlain Group, Inc. of Elmhurst, Illinois ("Chamberlain") against six respondents, including Innovative Home Products, Inc. ("Innovative"). 66 *Fed. Reg.* 37705 (July 19, 2001). Two additional respondents and an intervenor were later added to the investigation. The complaint alleges violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain garage door operators including components thereof by reason of infringement of claims 1-8 of U.S. Letters Patent Re. 35,364 and claims 5-30 of U.S. Letters Patent Re. 36,703.

On January 24, 2002, complainant Chamberlain filed a motion to terminate the investigation as to Innovative on the basis of an attached consent order stipulation and proposed consent order. The Commission investigative attorney supported the joint motion. On May 13, 2002, the ALJ issued an

ID (Order No. 15) granting the motion. No petitions for review were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and section 210.42 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.42.

By order of the Commission.

Marilyn R. Abbott
Secretary

Issued: June 3, 2002